

DEPARTMENT OPERATIONS MANUAL
Chapter 5 — Custody and Security Operations
Article 52 — Request For Interview, Item or Service
Effective July 29, 2011

54090.1 Policy

It shall be Department policy to facilitate communication between staff and inmates and parolees via a written request process. Effective communication is essential to the orderly management of correctional settings as well as the success of prison, parole supervision and rehabilitation programs. For that reason, the Department promotes constant communication between staff and inmates and parolees. Normally, when requesting items or service, the use of informal means of communication is encouraged for timely resolution of requests. When it is useful or necessary to document these attempts however, the provisions of this article shall afford inmates and parolees a means for so doing.

54090.2 Purpose

The purpose of this article is to:

- Establish a process to facilitate requests for interviews, items and services.
- Afford the inmate or parolee the opportunity to create a record of their attempt to contact staff when requesting interviews, items or services.
- Establish a transparent process subject to supervisor's review for the purpose of improved oversight of local operations.

54090.3 Responsibility

Each hiring authority shall implement this written request process to ensure its efficient and consistent operation in accordance with the policy and purpose provisions of this article.

54090.4 Written Request Process

Inmates and parolees may request interviews with staff and/or request items and services via a CDCR Form 22, Inmate/Parolee Request for Interview, Item or Service. This form has been redesigned to achieve expanded non-conflictive communication objectives. Timely resolution of many routine matters will be achieved through application of the processes and practices set forth in this article and henceforth applied uniformly toward that end.

- The written request process may be used when the inmate or parolee seeks a response to an issue related to his or her confinement or parole.
- This process is not intended to preclude or inhibit inmates or parolees from engaging in verbal communication and making verbal requests to staff outside of the written request process.
- Inmates and parolees shall be considerate in the use of this process, making allowance for staff who are otherwise occupied by submitting their requests reasonably and in a manner not to interfere or delay a peace officer in performance of his or her duties.
- Staff must accept and respond to the written request unless otherwise occupied in duties which require their full attention. Under such circumstances staff can advise the inmate of alternative submittal options.
- Staff shall attempt to resolve inmate and/or parolee issues expeditiously, whether brought to their attention verbally or in writing.

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- All communication on the request form should be polite, professional and to the point.
- Misuse or abuse of the form may be noted in staff responses to facilitate appropriate use of the form.

54090.4.1 Form Availability

The Department shall ensure that the CDCR Form 22, Inmate/Parolee Request for Interview, Item or Service, is readily available to inmates and parolees. This form shall be available in all inmate housing units, general or segregated; all institutional libraries; any facility under the Department's jurisdiction, whether residential or medical, where inmates are required to remain more than 24 hours; and all parole field offices.

This form is printed on NCR (no-carbon-required) paper, which facilitates:

- A record of the date the form was first presented to staff, and the date of each staff response.
- A record of the nature of the request and any subsequent efforts to address it.

54090.4.2 Submission

When seeking a response or outcome to a written request for an interview, item or service, the inmate/parolee shall complete the CDCR Form 22 to describe his or her request.

- The inmate shall deliver or mail via institutional mail the completed form to any staff member who is able to respond to the issue.
- The parolee shall deliver or mail via the United States Postal Service the completed CDCR Form 22 to his or her parole agent who shall respond to the issue or, as appropriate, route the form to another staff member able to respond to the issue.
- However, if the parolee mails the form, the receipted copy of their request may also be returned by staff via external mail services/US Mail.
- The CDCR Form 22 process does not stay the time constraints for filing an appeal and therefore does not preclude the inmate or parolee from filing an appeal on the same issue prior to receiving a response to their written request. However, the appeal may be rejected by the appeals coordinator or designee and an extension granted to complete the request form process before resubmitting the appeal.
- An employee shall not refuse the CDCR Form 22 unless exigent circumstances described in this article apply.

54090.4.3 Employee Responsibilities

Upon receipt of an inmate or parolee completed CDCR Form 22, the employee shall:

- Immediately date and sign the form unless occupied in duties which otherwise require full attention. Employees so occupied shall advise the inmate or parolee to select another suitable recipient, present the request at

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another time or the employee shall advise that they will return at the first opportunity, when duty permits, to retrieve the request.

- Provide the inmate or parolee the bottom copy of the employee signed form which shall serve as the inmate/parolee's receipt to verify the date of submittal. The employee, at his or her discretion, can respond to the request at this time or wait until to respond within the constraints of this section.
- The receipt of a completed CDCR Form 22 from an inmate or parolee does not preclude a staff member from forwarding the document to a more appropriate responder. However, employees shall either deliver the form to the staff member or place it in intra-office mail addressed to the intended staff member within 24 hours.
- Within three working days after receipt of the form, the responding employee shall:
 - Note his or her decision or action on the form.
 - Sign and date the form.
 - Retain a copy for his or her records.
 - Return the original and remaining copies of the NCR form to the inmate or parolee
- The willful delay or obstruction of an inmate/parolee's attempt to resolve a problem by failing to respond to or destruction of a submitted CDCR Form 22 is subject to corrective action in accordance with the employee discipline policies of the Department.

54090.4.4 Responses and Further Review

If the inmate or parolee is dissatisfied or disagrees with the staff member's response, he or she may submit the CDCR Form 22 to the employee's supervisor for review, while retaining a copy for his or her records. Only in the absence of the staff member's supervisor may the inmate/parolee submit the form to an alternative supervisor of the same office or unit authorized and/or able to respond to the issue in question. Upon receipt of this form the supervisor shall within seven calendar days:

- Indicate a decision or action on the form.
- Sign and date the form.
- Ensure a copy is made and retained in the facility records or parole field files for a period of time no less than prescribed for inmate correspondence in the approved Departmental records retention schedule, being mindful that originals are returned to the inmate/parolee.
- Return the original to the inmate or parolee.

An inmate or parolee's documented use of a CDCR Form 22 does not constitute exhaustion of administrative remedies as defined in DOM 54100.13.

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54090.5 Revisions

The Director, Division of Adult Institutions or designee, in conjunction with the Chief, Office of Appeals, shall ensure that the content of this section is accurate and current.

54090.6 References

Title 15, California Code of Regulations, §§ 3084, 3086.